

SUMMARY

This quarterly report is the 62nd in a series concerning safety and environmental protection matters related to ports and shipping. Highlights include:

1. The International Conference on the Control of Harmful Anti-fouling Systems for Ships was held from October 1-5, 2001, at International Maritime Organization (IMO) Headquarters in London. As a result of its deliberations, the Conference adopted the International Convention on the Control of Harmful Anti-fouling Systems on Ships (AFS Convention). The Conference also adopted four resolutions concerning: (a) early and effective application of the AFS Convention; (b) future work by the IMO pertaining to the AFS Convention; (c) approval and test methodologies for anti-fouling systems on ships; and (d) promotion of technical cooperation. Among its major provisions, the AFS Convention: (a) bans the application or re-application of organotin compounds, which act as biocides in anti-fouling systems, on or after January 1, 2003, with a requirement to remove or over-coat with a sealer coat the organotin anti-fouling systems by January 1, 2008; (b) establishes a detailed and scientifically based framework for considering international restrictions on anti-fouling systems that may prove harmful in the future; and (c) enters into force 12 months after the date on which not less than 25 states, the combined merchant fleets of which constitute not less than 25 percent of the gross tonnage of the world's merchant shipping, have ratified, accepted, or approved the Convention. (Item 1-B)
2. The 83rd session of the IMO Legal Committee (LEG 83) was held at IMO Headquarters in London from October 8-12, 2001. Among its significant actions the Committee confirmed its recommendation to the governing bodies of the IMO that a diplomatic conference should be called in the 2002-2003 biennium for adoption of a draft protocol to amend the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea (Athens Convention). The draft protocol revises the Convention's basis of liability, in part by introducing strict liability for certain events and creating an option for unlimited liability, and adds financial security provisions, including compulsory insurance. (Item 1-C)
3. The 22nd biennial session of the IMO Assembly (A 22) was held at IMO Headquarters in London from November 19-29, 2001. Among its many significant actions, the Assembly approved a resolution addressing maritime security. The action followed Coast Guard Commandant Admiral James Loy's statement seeking urgent action to address maritime security and suggesting that the IMO host a meeting of maritime security experts early next year to examine concrete security measures. Following its approval of the resolution on terrorism, the Assembly scheduled an intersessional meeting of experts for February 11-15, 2002, and an IMO conference to be held in conjunction with the December 2002 Maritime Safety Committee (MSC) meeting to adopt necessary changes to various instruments in order to strengthen maritime security. A 22 also approved the long-term work program of the IMO to include the prevention of acts of terrorism against shipping as a high-priority item. Among security issues being considered are: (a) issues related to the installation of automatic identification systems on ships; (b) the need for security plans on ships, facilities, and off-shore terminals; (c) the need for identification verification and background security checks

for seafarers; and (d) ensuring a secure chain of custody for containers from their port of origin to their destination. (Item 1-D)

4. On October 8, 2001, President George W. Bush signed Executive Order 13228 to establish, within the Executive Office of the President, an Office of Homeland Security to be headed by the Assistant to the President for Homeland Security. The mission of the Office is to develop and coordinate the implementation of a comprehensive national strategy to secure the United States from terrorist threats and attacks. (Item 2-A)
5. To comply with the National Invasive Species Act of 1996 (NISA), the Coast Guard, U.S. Department of Transportation, has established both regulations and voluntary guidelines to control the invasion of aquatic nuisance species (ANS). Ballast water from ships is one of the largest pathways for the intercontinental introduction and spread of ANS. ANS invasions through ballast water are now recognized as a serious problem threatening global biological diversity and human health. On November 21, 2001, the Coast Guard promulgated a final rule (33 CFR part 151) that finalizes regulations for the Great Lakes ecosystem and voluntary ballast water management guidelines for all other waters of the United States, including mandatory ballast water management reporting for nearly all vessels entering waters of the United States. (Item 3-F)
6. The U.S. Commission on Ocean Policy held its second meeting on November 13-14, 2001, in Washington, DC, and started building the foundation for its recommendations on a coordinated and comprehensive national ocean policy as it met with members of Congress, national organizations, and federal agencies. This meeting represented the initial step in a series of dialogues with the public on such wide-ranging issues as management of living and nonliving marine resources, ocean science and technology, and marine law and governance. Established by the U.S. Congress in the Oceans Act of 2000, the 16-member Commission appointed by President George W. Bush is also charged with reviewing the cumulative effects of federal ocean-related laws and programs. The Commission also took immediate action on one specific item: the United Nations Convention on the Law of the Sea (UNCLOS). The Commission unanimously agreed to a resolution urging the United States to promptly and expeditiously move forward with ratification of UNCLOS. (Item 4-E)

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<http://www.marad.dot.gov>, (under publications); <http://www.marad.dot.gov/nmrec> (under environmental information); and <http://www.socp.org> (highlights or under publications).